

1959

CONGRESSIONAL RECORD — HOUSE

14691

had 20,000. Right now we have about 5,000 left.

Mr. GROSS. I just wondered if this might be called a bill to protect the "sons of the wild jackasses." I withdraw my reservation of objection, Mr. Speaker.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) chapter 3 of title 18, United States Code, is amended by adding at the end thereof the following new section:

"§ 47. Use of aircraft or motor vehicles to hunt certain wild horses or burros; pollution of watering holes

"(a) Whoever uses an aircraft or a motor vehicle to hunt, for the purpose of capturing or killing, any wild unbranded horse, mare, colt, or burro running at large on any of the public land or ranges shall be fined not more than \$500, or imprisoned not more than six months, or both.

"(b) Whoever pollutes or causes the pollution of any watering hole on any of the public land or ranges for the purpose of trapping, killing, wounding, or maiming any of the animals referred to in subsection (a) of this section shall be fined not more than \$500, or imprisoned not more than six months, or both.

"(c) As used in subsection (a) of this section—

"(1) The term 'aircraft' means any contrivance used for flight in the air; and

"(2) The term 'motor vehicle' includes an automobile, automobile truck, automobile wagon, motorcycle, or any other self-propelled vehicle designed for running on land."

(b) The analysis of such chapter 3, immediately preceding section 41, is amended by adding at the end thereof the following new item:

"47. Use of aircraft or motor vehicles to hunt certain wild horses or burros."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PROHIBIT MISUSE OF NAMES TO INDICATE FEDERAL AGENCY

The Clerk called the bill (S. 355) to amend title 18 of the United States Code so as to prohibit the misuse by collecting agencies or private detective agencies of names, emblems, and insignia to indicate Federal agency.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That chapter 33 of title 18 of the United States Code is amended by adding at the end thereof the following new section:

"§ 712. Misuse of names by collecting agencies or private detective agencies to indicate Federal agency

"Whoever, being engaged in the business of collecting or aiding in the collection of private debts or obligations, or being engaged in furnishing private police, investigation, or other private detective services, uses as part of the firm name of such business, or employs in any communication, correspondence, notice, advertisement, or cir-

cular the words 'national,' 'Federal,' or 'United States,' the initials 'U.S.' or any emblem, insignia, or name, for the purpose of conveying and in a manner reasonably calculated to convey the false impression that such business is a department, agency, bureau, or instrumentality of the United States or in any manner represents the United States, shall be fined not more than \$10,000 or imprisoned not more than 1 year, or both."

SEC. 2. The provisions of this section shall become effective 60 days from the enactment thereof.

SEC. 3. The analysis of chapter 33 of title 18 of the United States Code which immediately precedes section 701 of such title is amended by adding at the end thereof the following:

"Sec. 712. Misuse of names by collecting agencies to indicate Federal agency."

With the following committee amendment:

On page 2, line 11, strike out "\$10,000" and insert in lieu thereof "\$1,000."

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ADDITION TO INDEPENDENCE NATIONAL HISTORICAL PARK

The Clerk called the bill (H.R. 6781) to authorize the Secretary of the Interior to acquire certain additional property to be included within the Independence National Historical Park.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the act entitled "An act to provide for the establishment of the Independence National Historical Park, and for other purposes," approved June 28, 1948 (16 U.S.C. 407m and the following), is amended by inserting immediately after the first section thereof the following new section:

"SEC. 1A. The Secretary of the Interior is authorized to acquire by donation or with donated funds, or to acquire by purchase from the Redevelopment Authority of the City of Philadelphia, all of the land immediately adjacent to Old Saint Joseph's Church, comprising an area 15,400 square feet situated on the south side of Walnut Street, Philadelphia, commencing with and including No. 324 Walnut Street and extending up to and including the southeast corner of Fourth and Walnut Streets, being known and numbered and shown on the records of the city of Philadelphia at 324, 326, 328, 330, 332, 334, and 336 Walnut Street, to be included within the Independence National Historical Park. The Secretary shall first enter into an agreement with the proprietor or proprietors of such property (Old Saint Joseph's Church), such agreement to contain the usual and customary provisions for the protection of the property, assuring its physical maintenance as part of the Independence National Historical Park, without any limitation or control over its use for customary church purposes."

SEC. 2. Section 6 of such act is amended by inserting immediately after the first sentence thereof the following new sentence:

"There are hereby authorized to be appropriated such sums, not exceeding \$46,200 as may be necessary to acquire the property referred to in section 1A of this act."

With the following committee amendment:

Strike out all after the enacting clause and insert: "That the Secretary of the Interior is authorized to acquire by donation or with donated funds, or to acquire by purchase, from the Redevelopment Authority of the City of Philadelphia the land and interests in land immediately adjacent to, but not including the Old Saint Joseph's Church property in the city of Philadelphia, Pennsylvania, which land and interests in land are identified on the records of the city of Philadelphia as 324, 326, 328, 330, 332, 334 and 336 Walnut Street, for inclusion in the Independence National Historical Park: *Provided*, That the Secretary shall first enter into an agreement with the proprietor or proprietors of the Old Saint Joseph's Church property, such agreement to contain the usual and customary provisions for the protection and physical maintenance of such church property, without expense to the United States, in keeping with, but not as a part of the nearby Independence National Historical Park and providing for its continued use, without limitation or control, for customary church purposes.

"SEC. 2. There are hereby authorized to be appropriated such sums, not exceeding \$46,200 as may be necessary to carry out the purposes of section 1 of this Act."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

REVISING ORGANIC ACT OF THE VIRGIN ISLANDS

The Clerk called the bill (H.R. 7870) to amend the Revised Organic Act of the Virgin Islands, as amended.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Virgin Islands Organic Act Amendments of 1959."

SEC. 2. (a) Subsection (a) of section 6 of the Revised Organic Act of the Virgin Islands (68 Stat. 499; 48 USC 1572) is amended to read as follows:

"(a) The term of office of each member of the legislature shall be two years. The term of office of each member shall commence on the second Monday in January following his election: *Provided, however*, That the term of office of each member elected in November 1958 shall commence on the second Monday in April 1959 and shall continue until the second Monday in April 1961, and the term of office of each member elected in November 1960 shall commence on the second Monday in April 1961 and continue until the second Monday in January 1963."

(b) The first sentence of subsection (c) of section 6 of said Act is amended to read as follows: "Each member of the legislature shall be paid the sum of \$600 annually, one-third on the first day of the regular session of the legislature, one-third one month after the beginning of such regular session, and one-third at the close of such regular session."

14692

CONGRESSIONAL RECORD — HOUSE

August 17

(c) The first sentence of subsection (a) of section 7 of said Act (68 Stat. 500; 48 U.S.C. 1573) is amended to read as follows: "Regular sessions of the legislature shall be held annually, commencing on the second Monday in January (unless the legislature shall by law fix a different date), and shall continue in regular session for not more than sixty consecutive calendar days in any calendar year: *Provided, however,* That the regular annual session for each of the years 1959, 1960, and 1961, respectively, shall commence on the second Monday in April and shall continue in regular session for not more than sixty consecutive calendar days."

SEC. 3. The second sentence of section 16(a) of the Revised Organic Act of the Virgin Islands (68 Stat. 504) as amended (48 U.S.C. 1573) is further amended to compromise two sentences to read as follows: "The head of each executive department other than the department of law shall be designated as the commissioner thereof, and the commissioner of finance shall be bonded. The head of the department of law shall be known as the attorney general of the Virgin Islands."

SEC. 4. Section 27 of the Revised Organic Act of the Virgin Islands (48 U.S.C. 1617) is amended to read as follows:

"SEC. 27. The President shall, by and with the advice and consent of the Senate, appoint a United States attorney for the Virgin Islands to whose office the provisions of chapter 31 of title 28, United States Code, shall apply. Except as otherwise provided by law it shall be the duty of the United States attorney to prosecute all offenses against the United States and to conduct all legal proceedings, civil and criminal, to which the Government of the United States is a party in the district court and in the inferior courts of the Virgin Islands. He shall also prosecute in the district court in the name of the government of the Virgin Islands all offenses against the laws of the Virgin Islands which are cognizable by that court unless, at his request or with his consent, the prosecution of any such case is conducted by the attorney general of the Virgin Islands. The United States attorney may, when requested by the Governor or the attorney general of the Virgin Islands, conduct any other legal proceedings to which the government of the Virgin Islands is a party in the district court or the inferior courts of the Virgin Islands. In the case of a vacancy in the office of United States attorney, the District Court of the Virgin Islands may appoint a United States attorney to serve until the vacancy is filled. The order of appointment by the court shall be filed with the clerk of the court."

With the following committee amendments:

Page 2, line 8, strike out all of section (b) and insert:

"(b) Subsection (e) of section 6 of said Act is amended to read as follows: 'Each member of the legislature shall be paid the sum of \$600 annually, one-third on the first day of the regular session of the legislature, one-third one month after the beginning of such regular session, and one-third at the close of such regular session. Each member of the legislature who is away from the island of his residence shall also receive the sum of \$20 per day for each day's attendance while the legislature is actually in session, in lieu of his expenses for subsistence, and shall be reimbursed for his actual travel expenses in going to and returning from each session, or period thereof, for not to exceed a total of eight round trips during any calendar year. The salaries, per diem, and travel allowances of the members of the legislature shall be paid by the Government of the United States: *Provided, however,* That nothing

herein shall prohibit the Virgin Islands Legislature from providing for payment of travel expenses and per diem in lieu of subsistence, at rates not in excess of those permitted by the Federal Government for its employees, for members of the legislature traveling on official business outside of the Virgin Islands."

Page 3, line 23, strike out "compromise" and insert "comprise."

Page 4, line 11, after "apply" insert "except that the Attorney General shall not appoint more than one assistant United States Attorney for the Virgin Islands."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

REASONABLE NOTICE WHEN APPLYING FOR INTERLOCUTORY RELIEF

The Clerk called the bill (H.R. 7559) to provide for reasonable notice of applications to the U.S. courts of appeals for interlocutory relief against the orders of certain administrative agencies.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the third sentence of subsection (b) of section 9 of the Act of December 29, 1950 (64 Stat. 1132; 5 U.S.C. 1039), is amended to read as follows: "In cases where irreparable damage would otherwise ensue to the petitioner, the court of appeals may, on hearing, after reasonable notice to the agency and to the Attorney General, order a temporary stay or suspension, in whole or in part, of the operation of the order of the agency for not more than sixty days from the date of such order pending the hearing on the application for such interlocutory injunction, in which case such order of the court of appeals shall contain a specific finding, based on evidence submitted to the court of appeals, and identified by reference thereto, that such irreparable damage would result to petitioner and specifying the nature of such damage."

SEC. 2. Subsection (d) of section 1006 of the Federal Aviation Act of 1958 (72 Stat. 795; 49 U.S.C. 1486(d)) is amended to read as follows:

"(d) Upon transmittal of the petition to the Board or Administrator, the court shall have exclusive jurisdiction to affirm, modify, or set aside the order complained of, in whole or in part, and if need be, to order further proceedings by the Board or Administrator. Upon good cause shown and after reasonable notice to the Board or Administrator, interlocutory relief may be granted by stay of the order or by such mandatory or other relief as may be appropriate."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

STILLHOUSE HOLLOW DAM, TEX.

The Clerk called the bill (H.R. 616) to designate the dam across the Lampasas River in Texas as Stillhouse Hollow Dam.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of

America in Congress assembled, That the dam across the Lampasas River in Bell County, Texas, authorized to be constructed by section 11 of the Flood Control Act of 1954, is hereby designated as Stillhouse Hollow Dam. Any law, regulation, map, document, record, or other paper of the United States in which such dam is referred to shall be held to refer to such dam by the name of Stillhouse Hollow Dam.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

NINETEEN HUNDRED AND FIFTY-NINE PACIFIC FESTIVAL

The Clerk called the joint resolution (H.J. Res. 281) authorizing and requesting the President to issue a proclamation with respect to the 1959 Pacific Festival, and for other purposes.

The SPEAKER pro tempore. Is there objection to the present consideration of the joint resolution?

Mr. BOW. Mr. Speaker, reserving the right to object, I would like to inquire whether any Federal funds are authorized under this resolution.

Mr. MAILLIARD. Mr. Speaker, if the gentleman will yield, this resolution calls for no Federal expenditure or participation. It is merely a question of having the President make official the invitation that has been issued.

Mr. BOW. I should like to ask whether or not it provides for any study to be made as to whether Federal funds shall be appropriated in the future.

Mr. MAILLIARD. None whatsoever.

Mr. BOW. Does the gentleman anticipate there will be any Federal funds involved?

Mr. MAILLIARD. There is no expectation of it. This resolution simply authorizes it for this year without any funds and we have no plan nor do we see any need or requirement for any Federal participation.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. BOW. I yield.

Mr. GROSS. I am glad the gentleman has asked these questions. I was prepared to do so, because these proclamations usually lead to further demands upon the Treasury.

Mr. BOW. We are going to have one such tomorrow.

Mr. FULTON. Mr. Speaker, will the gentleman yield?

Mr. BOW. I yield to the gentleman.

Mr. FULTON. As a member of the House Committee on Foreign Affairs I should like to confirm what the gentleman from California [Mr. MAILLIARD] has said. There are no funds, no study funds for the specific festival. Secondly, in the tradition we have had I believe it is the understanding and I would like it on the record that the President shall not invite any nation of the Pacific rim which holds any other nation in Communist subjection. That will eliminate North Korea, Communist China, as well as Northern Vietnam from any invitation to this specific festival.

Mr. BOW. Mr. Speaker, I withdraw my reservation of objection.